



U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

December 9, 2022

**BY ECF**

The Honorable Ronnie Abrams  
United States District Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: *American Immigration Council, et al. v. USCIS, et al.*, 22 Civ. 5312 (RA)

Dear Judge Abrams:

The parties respectfully submit this joint letter pursuant to the Court's October 13, 2022 Order (Dkt. No. 25) to update the Court on the status of this matter and to request to adjourn the conference scheduled for December 13, 2022 until a date convenient for the Court in June 2023. With the consent of counsel for the plaintiffs, the government also requests to adjourn its deadline to answer or otherwise respond to the complaint *sine die*.

The government was served on June 28, 2022, after which the parties discussed the government's response to the two FOIA requests, dated October 26, 2021 and March 15, 2022, identified in the complaint, and the government initiated searches. Since October 12, 2022, the date of the parties' last status letter (Dkt. No. 24), the government has engaged in a rolling review of documents and has agreed to process—meaning to review for responsiveness and exemptions—a set number of documents per month. To date, the government has made three productions responsive to the plaintiffs' requests and is continuing its rolling review. At the agreed upon rate of processing, the government expects to complete the bulk of its review by the end of May 2023.

The initial pretrial conference is currently scheduled for December 19, 2022 at 2:00 pm. At this time, the parties submit that it would be most efficient to reschedule the conference until after the bulk of the government's processing is complete, at a time convenient for the Court in June 2023, with a status letter due approximately a week prior.

The government also requests to extend its deadline to answer or otherwise respond to the complaint *sine die*. Plaintiffs consent to this request. This is the third request to adjourn the initial pretrial conference and the fourth request to extend the government's deadline to answer or otherwise respond to the complaint; all such requests have been granted by the Court. (Dkt. Nos. 20, 22, 25).

We thank the Court for its attention to this matter.

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Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

Application granted. The initial pretrial conference is adjourned to June 2, 2023 at 3:00 p.m.; Call-In Number: (888) 363-4749; Access Code: 1015508#. The parties shall submit a proposed case management plan and a joint letter one week prior to the conference.

SO ORDERED.



Hon. Ronnie Abrams  
United States District Judge  
12/12/2022

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